

# Exhibit 2

1  
2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE SOUTHERN DISTRICT OF NEW YORK

4 PAVLE ZIVKOVIC,

5 Plaintiff,

6 v.

7 VALBELLA AT THE PARK, LLC,

8 Defendant.

9 -----X  
10  
11 Zoom Video Conference  
12 February 8, 2023  
13 10:06 a.m.  
14

15 EXAMINATION BEFORE TRIAL of ROBERT DALEO, the  
16 Defendant in the above-entitled action, held via Zoom Video  
17 Conference taken before ELIZABETH SANTOS, a Notary Public of  
18 the State of New York, pursuant to order and stipulations  
19 between Counsel.  
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A P P E A R A N C E S:

JOSEPH & KIRSCHENBAUM, LLP

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BY: JOSEF NUSSBAUM, ESQ.

LAW OFFICES OF FRED SEEMAN

Attorneys for Defendant

32 Broadway, Suite 1214

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BY: FRED SEEMAN, ESQ.

Also present: Lucas Buzzard (Kirschenbaum, Sitting In)

Pavle Zivkovic (Plaintiff, Sitting In)

S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN the parties hereto through their respective counsel that all objections as to the form of the question shall be reserved to the time of trial;

IT IS FURTHER STIPULATED BY AND BETWEEN the parties hereto through their respective counsel that sealing, certification and filing shall be and the same are hereby waived;

IT IS FURTHER STIPULATED AND AGREED that the within examination may be signed and sworn to before any Notary Public with the same force and effect as if signed and sworn to before this Court.

1 ROBERT DALEO

2 R O B E R T D A L E O ,

3 having first been duly sworn by Elizabeth Santos, a Notary  
4 Public of the State of New York, was examined and testified  
5 as follows:

6 EXAMINATION BY

7 MR. NUSSBAUM:

8 COURT REPORTER: Please state your name  
9 for the record.

10 THE WITNESS: Robert D. Daleo.

11 COURT REPORTER: What is your present  
12 address?

13 THE WITNESS: 19 Pike Street, Alpine, New  
14 Jersey, 07620.

15 Q. Good morning. My name is Josef Nussbaum  
16 and I represent Pavle Zivkovic in a case against  
17 Valbella at the Park.

18 Do you understand that?

19 A. I do.

20 Q. I'm going to be asking you a number of  
21 questions today. Just before we get into the  
22 substance of the questions, I'd like to go over some  
23 ground rules for today's deposition.

24 Okay?

25 A. Right.

ROBERT DALEO

Q. You didn't talk to Rosey about today's deposition?

A. I did not. I did not.

Q. You did not talk to David Ghatanfard about today's deposition?

A. I did not. I did not.

Q. Can you tell me what your relationship with David Ghatanfard is?

A. I have known David Ghatanfard for 25 years. We're very close personal friends.

Q. How did you first meet him?

A. I met him in the restaurant business. Valbella in Connecticut.

Q. You remember Valbella in Connecticut. And you said you've been good friends ever since you met?

A. We have, yes.

Q. And you're in business with him now; right?

A. No, I'm really in business with Rosey, he is helping.

Q. Is it your testimony today that he doesn't own any part of Valbella?

A. He owns five percent of Valbella at the

1 ROBERT DALEO

2 A. I don't know what percentage each of them  
3 owned in Oak Grove.

4 Q. Who chose the name of the restaurant?

5 A. I did.

6 Q. How did you choose the name?

7 A. I liked it.

8 Q. First time you ever heard of it or when  
9 did you first hear of it?

10 A. I think I did experience it in Valbella  
11 during my business career. I liked the name, and I  
12 picked Valbella at the Park.

13 Q. And david Ghatanfard owned the restaurant  
14 called Valbella in Connecticut; right?

15 MR. SEEMAN: Objection.

16 A. To my knowledge, yes.

17 Q. You dined at that restaurant; right?

18 A. Yes.

19 Q. David Ghatanfard owned the restaurant  
20 called Valbella in the meat packing business in  
21 Manhattan; correct?

22 MR. SEEMAN: Objection.

23 A. Yes.

24 Q. And you dined at that restaurant as well?

25 A. Yes.

1 ROBERT DALEO

2 Q. You haven't testify as to one thing that  
3 you do at the restaurant.

4 What do you do at the restaurant?

5 A. I negotiate the lease agreement. I  
6 consult with them on major investments. And I'm a  
7 partner in that regard. I don't run the business.  
8 I invest in a lot of businesses that I don't run.

9 Q. What do you consider to be a major  
10 investment?

11 A. I have a large portfolio, and that's not  
12 for discussion here.

13 Q. Mr. Daleo, you're not understanding me. A  
14 moment ago you said you consult with them on major  
15 investments, so my question is, what do you consider  
16 to be a major investment?

17 A. I would say anything that you spend more  
18 than \$100,000 on.

19 Q. What does the restaurant spend more than  
20 \$100,000 on other than the lease?

21 A. Not a lot of stuff. We did some  
22 renovations.

23 Q. Other than the lease and renovations do  
24 you spend more than \$100,000 on anything else?

25 A. No.